

PUBLIC HEALTH ACT

(11 & 12 Vict., cap. 63).

R E P O R T

TO THE

GENERAL BOARD OF HEALTH

ON A

SUPPLEMENTAL INQUIRY

INTO THE SEWERAGE, DRAINAGE, AND SUPPLY OF
WATER, AND THE SANITARY CONDITION
OF THE INHABITANTS,

OF THE TOWNSHIP OF

BILSTON,

SITUATED WITHIN THE ~~MUNICIPAL~~ BOROUGH AND UNION OF
WOLVERHAMPTON,
IN THE COUNTY OF STAFFORD.

By ROBERT RAWLINSON, Esq.,

SUPERINTENDING INSPECTOR.



LONDON:

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FOR HER MAJESTY'S STATIONERY OFFICE.

1850.

NOTIFICATION.

THE General Board of Health hereby give notice, in terms of section 9 of the Public Health Act, that on or before the 6th of May next written statements may be forwarded to the Board with respect to any matter contained in or omitted from the accompanying Report on the Sewerage, Drainage, and Supply of Water, and the Sanitary Condition of the Inhabitants, of the Township of BILSTON, situated within the Municipal Borough and Union of Wolverhampton, in the County of Stafford; or with respect to any amendment to be proposed therein.

By order of the Board,


HENRY AUSTIN, *Secretary.*

*Gwydyr House, Whitehall,
28th March, 1850.*

PLAN
OF THE TOWNSHIP OF
BILSTON,
IN THE COUNTY OF
STAFFORD.

NOTE The figures attached to the Contour lines shew
the height in feet above Datum, which is 30 feet
below the top of the spring course of Bilston Bridge.





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PUBLIC HEALTH ACT (11 and 12 Vic., cap. 63).

Report to the General Board of Health on a Supplemental Inquiry into the Sewerage, Drainage, and Supply of Water, and the Sanitary Condition of the Inhabitants, of the Township of BILSTON, situated within the ~~Municipal~~ Borough and Union of Wolverhampton, in the County of Stafford. By ROBERT RAWLINSON, Esq., Superintending Inspector.

London, February, 1850.

MY LORDS AND GENTLEMEN,

IN February, 1849, a public inquiry was instituted in the town of Wolverhampton, and was extended throughout the Wolverhampton union, in which the township of Bilston is situated. A Report was drawn up and presented to your Honourable Board, embodying certain recommendations and the application of the Public Health Act to the towns of Wolverhampton, Bilston, Willenhall, and Wednesfield. The corporation of Wolverhampton and the inhabitants of Bilston wish, however, to have each a separate local Board, and certain of the inhabitants and owners of land, houses, mines, and other property in Bilston are now seeking to obtain from Parliament a private Bill to enable them to deal with certain matters and things alleged to be necessary for the health of the inhabitants and better government of the town, which power, as they state the case, will not be conferred by the Public Health Act.

There has been much local contention relative to this Bill, and various memorials and written statements for and against this measure have been presented to your Honourable Board by deputations and otherwise, the substance of which are set forth in this Report.

The condition of the town and district having been described in my former Report, it will not be necessary to repeat it here, especially as there is but one feeling common amongst the owners of property and the inhabitants generally, namely,—that additional powers for local government are imperatively required. A section of the ratepayers would be contented to accept the Public Health Act alone; the promoters of the private Bill assert that additional powers are absolutely necessary to deal with certain local and peculiar difficulties (the turnpike-roads and the brook). The several documents, for and against the Bill, are given in the Appendix at length.

The great necessity which exists for active and efficient measures being taken to improve the condition of the town is shown by the

fearful prevalence of disease at all times, and more especially in the extremely violent and fatal attacks of cholera, both in the years 1832 and 1849. In August and September of the former year 3568 of the inhabitants were attacked, and 742 died in less than seven weeks. 8536*l.* 8*s.* 7*d.* was raised by subscription to relieve the distress, as 450 children under 12 years of age were bereaved of their parents. In 1849 there were about 700 deaths from cholera, or one in 32 of the entire population. The average mortality of twelve months was condensed into two. During this fearful visitation business was partially suspended, many of the tradesmen temporarily left the town, and numbers of the shop-windows were closed, on the shutters of which some such notice as the following might be seen—"CLOSED DURING THE CHOLERA." The direct and indirect money loss to the inhabitants must have been very great. The consequent widowhood, orphanage, misery, poverty, and want, cannot be calculated. The permanent pecuniary burden upon the ratepayers is also considerable. Public and private benevolence have done much, and the active labours of the Rev. J. B. Owen and others are beyond all praise; but that which is most, nay, imperatively required, is the necessary power to accomplish proper sanitary works; and unless such are carried out, and are superintended afterwards with earnest intelligence, a repetition of such fearful losses as those detailed may be dreaded.

SUPPLEMENTAL INQUIRY.—On Monday, the 24th of December, I held a second public inquiry in Bilston, and received evidence upon the several subjects contained in this Report. There were present during such inquiry—E. B. Dimmack, Esq., John Thompson, Esq., J. Loxdale, Esq., William Baldwin, Esq., John Foster, Esq.; the Rev. J. B. Owen and the Rev. H. S. Fletcher; Mr. Thomas Perry, Mr. J. C. Barlow, Mr. C. G. Brown, solicitor; Mr. C. G. Megevan; Mr. H. Marten, engineer; Mr. J. Willim, Mr. George Dimmack, Mr. J. B. Dimmack, Mr. Gettings, Mr. R. Cooper, Mr. J. W. Hall, Mr. Hancox, Mr. J. Dean, Mr. Sargent; the Rev. — Benison; Messrs. M. Frost, E. Best, J. Fellows; Mr. Twigg, Mr. Hollingsworth, Mr. P. C. Bissell, Mr. Bew, and others. Mr. H. Marten fully explained the engineering features of the proposed Bill, and the inquiry was made general to the full extent of all the statements and of the written documents placed before me.

Bilston is a market-town and chapelry, in the parish, borough, and union of Wolverhampton, N. division of the hundred of Seisdon, S. division of the county of Stafford, 3 miles (S.E.) from Wolverhampton, 19 (S. by E.) from Stafford, and 120 (N.W.) from London.

In 1695, according to the census then taken, the population was 1004. At this time the population is about 23,000.

This place, which formerly belonged to the portionists or pre-

bendaries of Wolverhampton, and in their charter is called "Bilsreton," was a royal demesne at the time of the Conquest; and in the reign of Edward III. was, under the appellation of "Billestane," certified to be exempt from toll. The present manufactures are principally iron japanned, and enamelled wares of every kind, iron-wire, nails, screws, machinery, and all the heavier descriptions of iron-ware; and there are numerous mines from which coal and ironstone are obtained.

GEOLOGY.—The township stands on the Staffordshire coalfield, the new red sandstone overlying and bounding it at Birmingham on one side and Wolverhampton on the other. Clay, of which the coarser kinds of pottery-ware are made, and a particularly fine sand for casting, are found in great abundance; and there are in the neighbourhood quarries of stone, much valued for grindstones and roughs.

The market-days, established by Act of Parliament in 1825, are Monday and Saturday; and the fairs, which are toll-free, are on Whit-Monday and the Monday preceding the Michaelmas fair at Birmingham. A court of requests, for debts not exceeding 5*l.*, is held under an Act of the 48th of George III.

GAS-WORKS.—The town is lighted with gas by a company, having a capital of upwards of 15,000*l.*; and from the last balance-sheet published it appears the following sums have been expended :—

| | | £. | s. | d. |
|-----------------|---|--------|----|----|
| Sept. 28, 1846, | To mains, meters, and plant purchased from the Birmingham and Staffordshire Gas Company . . . | 5,300 | 0 | 0 |
| to | To land for site of new works | 602 | 10 | 0 |
| Sept. 29, 1849. | To " " " (from Mr. Daniel Rose) | 200 | 0 | 0 |
| | To buildings, machinery, tank, &c. | 5,025 | 1 | 9 |
| | To Parliamentary and law charges | 2,587 | 1 | 0 |
| | To new mains (4-inch pipes) | 503 | 0 | 0 |
| | To trade account for labour, bricks, &c. | 485 | 7 | 9 |
| | To tubing, meters, furniture, &c. | 222 | 11 | 10 |
| | To interest and charges paid to bankers and to Mr. Job Hickman | 67 | 6 | 2 |
| | To balance in the hands of Messrs. Foster and Baldwin | 245 | 14 | 4 |
| | | 15,238 | 12 | 10 |

It will be seen from this statement that about one-sixth of the entire capital has been expended in law charges.

The town is very imperfectly lighted; there are few lamps even in the public streets; back streets, courts, lanes, and alleys are not lighted.

Price to general consumers, per 1000 feet, 6*s.*

Price to large consumers, per 1000 feet, 4*s.* 6*d.*

WATER-SUPPLY.—The town is very partially supplied from the Dudley Waterworks, on three days each week, and only for a

short period on these days. Many of the inhabitants take their supply from other sources, which are, however, generally vitiated; such are the canal, the brook, and pits in the district.

BURIAL-GROUNDS.—Power to establish a public cemetery or cemeteries is sought to be obtained in the private Bill now before the House, the necessity for which is apparent by the following documents:—

QUERIES issued under the Statute 12th and 13th Vict., cap. 3, sect. 9 & 11, in respect to Intramural Interments in the Metropolis.

1. What is the name of your church or chapel? and in what parish or district is it?

2. Have you any consecrated burial-grounds, and where situate?

3. What is the extent of each in square yards, as near as you can tell?

4. About what quantity in each ground (stated in square yards) has been appropriated by faculty or by purchase?

5. About what is the quantity of the above of which the owners are at present unknown? State the quantity in square yards?

6. Are the burial-grounds, or all or any of them, open for use?

7. If closed, when, and by what authority?

8. What is the extent of the vaults, tombs, or brick graves under the church or chapel: how much of same is occupied? State generally what interments have taken place under your church or chapel, and still continue to take place. Is there room for many more interments in them?

9. Are there any other burial-grounds in your parish or district not connected with the Church of England; and if any, what, to what extent, and by whom held?

10. What is the population of your parish or district?

St. Leonard's church, in the parish of Bilston. Out of this parish two new ones have recently been formed—St. Mary's and St. Luke's. What remains ought, perhaps, to be styled the district of St. Leonard's.

Two burial-grounds, in one of which the church stands. The other is very near the church.

The old burial-ground, in which the church stands, about 3560 square yards. The new ground about 2000.

In the old yard are 58 vaults.

In the new yard are 12 „

—
70

Average number of
yards in each . 7

Appropriated by
purchase . . 490 sq. yards.

The owners of the above are at present all known.

They are both open for use.

Seventeen vaults in the church about the same size as those in the yard. Interments in the church are not frequent, but there is still room for more in some of the vaults.

There are other burial-grounds in the parish of Bilston, one of which is situate in St. Leonard's district connected with the Methodist chapel, held by the minister of the same.

The population of the parish of Bilston is about 23,000; of my district (St. Leonard's) about 6000.

11. Please to state, if you know, the number of deaths annually?
12. What was the total number of interments within the burial-grounds, vaults, tombs, within your parish or district, connected with your church, in the years 1842, 1843, 1844, 1845, 1846, 1847, 1848?

I cannot state the number of deaths which take place annually in the parish, because many are buried by the Dissenters, of which from my own registers I have no account. Nor can I separate the interments at St. Leonard's from those at St. Mary's, because, until within a few months, we have had but one register for the two churches. Up to the period of the separation of St. Mary's from St. Leonard's, the average number of burials at *the two churchyards* would be about 360 annually. This, of course, does not include interments by Dissenters.

13. Please to state the relative proportion of the persons of the several classes interred, as far as you are able, specifying

1. The gentry and professional persons.
2. Tradesmen and shopkeepers.
3. Mechanics and labourers.
4. Paupers.

NOTE.—If the rank of the parties interred be unknown to you, please to state the proportions of those buried in vaults, in private graves, and in public graves. The answer to this may partly be derived from the rate of fees paid on occasion of each interment, and may be set forth in the annexed Schedule.

14. How and when was each burial-ground obtained? by immemorial occupation, by purchase, or by gift?

The burial-ground in which the church stands has been obtained by immemorial occupation; the other by purchase.

15. Do you know whether the burial-ground is subject to any permanent charge either to the incumbent or to any one else?

Neither of the grounds belonging to St. Leonard's is subject to any permanent charge of any kind.

NOTE.—Such cases as where the vicar's glebe has been taken for a burial-ground; or a fixed sum is paid to the incumbent in lieu of fees; or money borrowed for the purchase of the ground on security of the rates or fees?

16. Do the parishioners pay any to the churchwardens for interment in the burial-ground, or do the incumbent, clerk, or sexton only receive fees?

The parishioners pay no fee to the churchwardens for interments: the incumbent, clerk, and sexton only receive fees.

17. To whom are the fees paid, if yours be a district church or chapel?

Mine is not a district church or chapel.

18. How long is it probable that the present burial-ground will be sufficient for the purpose of burial?

The present burial-grounds at St. Leonard's, as every other in the whole parish, are full, and should

19. Are the grounds surrounded by dwelling-houses or other buildings, and to what extent, or in what manner enclosed, and what is the relative level of the burial-ground compared with the adjacent streets?

20. On what days of the week, and at what hours, are funerals most frequent?

21. Enclose a copy of table of fees relating to interments, monuments, tablets, &c., both in respect of church and chapel, and of church and chapel burial-grounds.

22. Who receives orders for the interments in the burial-grounds, vaults, &c. And who selects the sites for interments? the clerk or the sexton? And who keeps the register?

23. Have you any suggestions to offer in reference to burial-grounds? If so, please to state them.

be closed without further loss of time. I have buried no paupers in either of my yards for some years in order that room might be made for other classes of interments. The pauper funerals have been sent to St. Mary's church, which till lately was a chapel-of-ease to St. Leonard's and had more convenience in point of space.

Both my burial-grounds are surrounded by dwelling-houses: on some sides streets running between them and the buildings. One burial-ground joins my (the Parsonage) yard, and its surface is five feet above the level of my kitchen floor. This is the greatest disparity of relative levels.

Most frequent on Sundays; but they take place in some seasons of the year almost daily. From March 25th to September 29th they take place at 6 o'clock P.M. From September 29th to March 25th they take place at 4 o'clock P.M. On Sundays they always take place at 4 o'clock P.M. throughout the year.

There is no table of fees relating to interments, &c. The fees now received are the same as have been paid for many years: I have enclosed a scale.

The sexton receives orders for interments, and selects the sites, unless the friends of the deceased choose to do so. The incumbent keeps the register.

I have nothing to say in reference to burial-grounds further than to express my belief of the necessity for immediate provision for new grounds in Bilston. There are some few difficulties in closing the yard which perhaps it might be well to name, though, I presume, a more fitting opportunity for arranging these points will offer itself. I allude to vaults which have been made within the last few years, and in some of which no interments have taken place. I have no idea of any opposition or objection to the closing of all vaults in the church itself, although they are not all full. Of course it is not for me to suggest what course it will be best for the Board to take in reference to

our burial-grounds; but I would take the liberty to say that, as far as I am myself concerned, I should be much better satisfied to have our wants remedied through the Nuisances Removal Act, or any other which the Board of Health may administer, than by any provisions contained in any local Act, should such be obtained.

(Signed) A. S. FLETCHER,
Perpetual Curate of Bilston.

Scale of Fees paid at St. Leonard's Church, Bilston, for Burials, &c.

| | £. | s. | d. |
|--|----|----|----|
| erection of a tablet in the church, incumbent's fee for . . . | 5 | 0 | 0 |
| vault in the church, incumbent's fee for . . . | | | |
| (No such vault has been made during the present incumbency, and I never heard the amount of the accustomed fee.) | | | |
| opening vault in the church, incumbent's fee for . . . | 0 | 10 | 0 |
| making vault in the churchyard ditto . . . | 2 | 2 | 0 |
| opening vault ditto ditto . . . | 0 | 5 | 0 |
| making brick grave ditto ditto . . . | 1 | 1 | 0 |
| erection of gravestone ditto ditto . . . | 0 | 10 | 0 |

Interment Fees.

| | Incumbent. | Clerk. | Sexton. | Total. |
|---|------------|--------------|--------------|--------------|
| | <i>d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> |
| for children, <i>i. e.</i> , up to 12 years old . . . | 9 | 3 2 | 2 0 | 5 1 |
| for persons between 12 and 18 years old . . . | 9 | 3 10 | 2 4 | 6 11 |
| ,, from 18 upwards . . . | 9 | 4 2 | 3 0 | 7 11 |

The clerk's fee includes the charge for tolling the bell two hours at each interment.

When a corpse comes from any other parish to be interred at Bilston, the incumbent's fee is 1s. 6d. instead of 9d.; the others are the same as above stated.

The following are extracts from Reports which were drawn up by Dr. Sutherland on the state of the graveyards in Bilston, from a personal inspection of their condition.

"Graveyard of Wesleyan Methodist Chapel.

"Wolverhampton, September 22, 1849.

"I yesterday inspected the graveyard of the Wesleyan Methodist chapel in the town of Bilston, and found it in an overcrowded and unsafe state. The graveyard is a small one, considerably raised above the level of the street, and has already received 5000 bodies or thereabouts. The wall of a school-house forms part of the boundary of the graveyard. It is in a position open on two sides to the country, but has buildings on the other two sides."

"Churchyards of St. Leonard's Church, two in number.

"I yesterday inspected the graveyards, two in number, belonging to St.

Leonard's church, Bilston, and found them in an overcrowded and unsafe state. They are surrounded by inhabited houses; they are quite full, and raised several feet above the level."

"Baptist Chapel Burying-ground.

"I have inspected a small burying-ground behind the Baptist chapel Bilston. It is amongst houses and works, but is only of perhaps 100 square yards in extent. It has been very little used, and in its present state could hardly be said to be injurious. The question which I am desirous of putting before the Board is, whether this ground should escape the general closure? considering that it might possibly be left open, and that interments prohibited in other grounds might take place in it. Can a contingency of this kind be provided for, or must we wait till the evil arises? The question is one of importance."

"St. Mary's.

"I yesterday visited and inspected the churchyard of St. Mary's Church at Bilston, and found it in an overcrowded and unsafe state. A school-house is situated close to the wall of the churchyard, and on the other side of the wall a pit was open, in which 46 bodies had been already interred. The churchyard is on the public highway, and in the centre of inhabited houses."

(Signed)

"JOHN SUTHERLAND."

There is but one feeling in Bilston relative to the great necessity which at present exists for good local government and proper sanitary improvements, but there is a difference of opinion as to the means by which these things can be accomplished. The following is a brief abstract of the statements made to me upon the subject, with a summary and recommendations added, based upon the evidence and my personal observations:—

Arguments and Evidence advanced in favour of a Private Bill.

LOCAL DIFFICULTIES EXPERIENCED WITH THE TURNPIKE ROADS.—Mr. G. Gettings states,—

"Bilston is a small parish of about 1600 acres, including the site of the buildings, canals, and roads.

"There are in the township about 7 miles of turnpike-roads and 6 or 7 miles of highway-roads. In the Bilston turnpike trust there are 11 miles of road, but 3 or 4 miles of that road are in other parishes. On that 11 miles of road we have 10 turnpike-gates and bars, besides a catch-bar near Wednesbury and Darlaston, or about one turnpike-gate to each mile of road.

"To repair these 11 miles of road the trustees or their clerk received last year 2398*l.*; to repair the 6 or 7 miles of highways the surveyors in the same year expended about 230*l.*, including all charges.

"The repair and management of the highways is in the town; the surveyors are responsible to the town, and the whole cost per mile is about 3*l.* The repair and management of the turnpike-roads is in the commissioners or their servants; few of the commissioners act, only on particular occasions the town has no control; and the roads cost about 17*l.* per mile. The highways are in as good condition as the turnpike-roads.

"If all the inner gates were removed, and only the four outside gates were left, the proceeds from these would be quite sufficient to repair the

hole of the roads in the township, both highway and turnpike, and every expense connected with them.

"But the tolls and management must be in the hands of the town."

Mr. *C. G. Brown* stated, with reference to these turnpike-roads, at—

"The public streets in Bilston are generally in a very filthy and unwholesome condition, never being swept, only occasionally scraped, and seldom watered. The channels also are indifferent and insufficient, and the principal footways are in a great degree left unpaved. The principal public streets in the town are under the jurisdiction of the trustees of the Bilston turnpike trust, having a great number of turnpike-gates in the town, pressing hard upon the tradespeople, who are compelled to pay toll in carrying their goods by vehicle from one portion of the town to the other. There is no reason whatever for preserving these gates in the town; the town is not poor, and it might dispense with them. So long as the turnpike-gates are continued, it will be a great hardship upon the tradespeople to make them pay for the repairs, improvement, or draining of the streets, footpaths, and channels."

Mr. *Barlow* made the following statement:—

"In my opinion it is necessary that the control of the turnpike-roads within the town should be vested in the parties to whom may be intrusted the draining, lighting, and paving of the town, and who will be responsible for its sanitary condition.

"Three-fourths of the streets are turnpike-roads. The mere statement of this fact establishes my position;—as to appoint a number of persons to pave, light, clean, and drain the town, and to exempt from their authority one-fourth of the streets, would simply be an absurdity. It is equally absurd to give the control of the whole town to the trustees of the roads, and to give to public bodies with different views—perhaps different interests—having no control and management of the same streets, would lead to disputes and litigation, in the midst of which sanitary reform would be forgotten or neglected.

"It follows, that either the trustees of the roads must obtain powers to drain and cleanse the whole town, and to make rates; or that the persons to whom the other parts of the town are to be intrusted must have the management of the turnpike-roads also. No one, it is presumed, will be so foolish as to advocate the expediency of conferring such additional powers upon a self-elected irresponsible body, such as the trustees of the roads constitute. There remains but the alternative of giving the sole management and control of the whole town (including the turnpike-roads) to the persons appointed to effect the general improvement of the town. Under no other arrangement can the necessary works for such improvement be efficiently and economically done.

"One collateral advantage that will attend the transfer of the powers of the trustees to the town commissioners is, the removal of the three toll-gates that are in the streets, and which are a great impediment to the traffic. Some parties suppose that they are of benefit to the town by making traders from a distance pay towards the repair of the roads; but this is a mistake, as the whole of the money collected at the gates within the town is paid by the inhabitants, or so nearly the whole, that the remainder would make no appreciable difference in the statement. Therefore, supposing the whole amount to be collected by rate as is now taken in tolls, the tax upon the town will be the same. But since that amount can be collected much more economically by rate than by tolls, the town will benefit to the extent of the saving, and be rid of the annoyance of the gates."

Mr. *William Baldwin* said,—

“ One great difficulty we have to meet is the present management the turnpike-roads. The greater part of the streets of Bilston consist of turnpike-roads, and these are under the management of trustees, who are self-elected. I think it will be impossible to get on well with sanitary improvement, unless the roads are placed entirely under the control of the commissioners for sanitary purposes.”

Mr. *R. S. Cooper*, surgeon, stated,—

“ The streets in Bilston are generally in a very filthy and unwholesome condition ; the channels are insufficient to carry away the accumulation of filth and moisture, and in a great degree unpaved. In consequence, I conceive the condition of the streets to be highly injurious to the health of the local residents.”

BILSTON BROOK.—Its present condition the cause of disease. The difficulties of dealing with it.

Mr. *R. S. Cooper*, surgeon:—

“ I was practising as a surgeon in Bilston in 1832, when the cholera first visited that town. The disease first appeared in that year in the vicinity of the brook ; it there raged most fearfully.

“ In its second visit, in the present year, it again first appeared on the margin of the brook, and continued there with fearful malignity ; destruction in the last visitation far exceeding that of 1832.

“ Although the cholera was epidemical, nevertheless it was more destructive in the locality of the brook, in consequence of the enervated state of the constitutions of those people resident in that vicinity, which debilitated condition I ascribe to the inhaling of noxious vapours emanating from the source. In 1832 the present reservoir of the adjoining ironworks was not in existence, consequently the aggravated destructive effects of cholera in that year might be ascribed in part to the water in a state of vapour being carried into the houses of the neighbouring people, when such vapour would be continually breathed back. I think the only efficient means of disposing of the nuisance, which has been attended with such destructive consequences, would be to divert the course of the brook in the manner proposed, and to cover over that channel.”

The water of the brook is now used at the large ironworks named by Mr. Cooper for condensing purposes, which in its heated state is turned into reservoirs to cool for further use, and a continuous cloud of steam is passed off at all times. This, being generated from a source so foul, must necessarily have an injurious influence on health.

The Rev. *J. B. Owen* stated,—

“ that he considered the brook one of the greatest nuisances in Bilston and the cause, directly and indirectly, of much disease and death ; and that all proper means should be applied, as soon as possible, to remedy the defects which cause the evils complained of. There should, in his opinion, be no delay in obtaining the necessary power to correct this and other grievous nuisances, which have so fearfully and fatally recoiled upon the poor.”

Mr. *William Baldwin* said,—

“ I have looked at Bilston with a view to sanitary improvement, and my opinion is, that if we are to succeed in that object, we must begin with the ‘brook,’ the receptacle of all the filth of the town. In its neighbourhood

plera and other epidemic diseases always begin their ravages, and, when they get into a place like Bilston, they do not leave it until large numbers of the population are swept off.

"It is a comparatively pure stream until it enters the town, where houses, mills, and other buildings are closely erected on both sides, over it, and over it, for the owners of property adjoining claim to the middle of the brook, which here becomes a stagnant pool of mud and filth; and as the brook stands, the only remedy that I can suggest is to divert the stream, and convey it underneath an adjoining street, and fill up the present course.

"To effect this, although I shall not be individually benefited by it, yet, on the amount of mischief it creates, I am quite willing, as one of the largest ratepayers, to contribute my whole portion of rate to this purpose, and I believe most of the other iron and coal masters, who are the large ratepayers, have consented to do the same; and when this is effected, and a proper outlet for the sewerage is secured, the course will be clear for an actual system of drainage and other sanitary improvements."

Mr. C. G. Brown made the following statement:—

The banks of the brook are densely crowded with houses, in nearly all of which the cholera raged most fearfully, and in one of which it first made appearance.

The water which feeds the engines and boilers connected with an important ironwork in the neighbourhood of the town is taken in its fœtid condition from the brook, whence it eventually passes into an open reservoir, from which, in consequence, there continually arises a most offensive vapour.

An effort was made in the summer of the present year to abate the nuisance arising from this cause, by the summary means pointed out by the Nuisance Removal Act, but without success, the justices thinking that the powers of that Act did not authorize them to adjudicate in a case of such magnitude. Neither would it be just to the gentleman owning the reservoir to prosecute him. If the stream were unpolluted, this nuisance would cease to exist. That gentleman is the aggrieved rather than the injuring party. The brook-course has been sold to the owners of the adjoining properties, some of them have built into it, whilst others have built over it, thus materially obstructing the free passage of its waters."

WATER-SUPPLY.—With respect to the present water-supply, the necessity for improving and increasing it, Mr. William Edwin stated,—

Another evil we labour under is a scanty supply of water; what we have supplied by the Dudley Waterworks Company, but during the time the cholera was ravaging the town in August and September last the supply was entirely withdrawn for many days, and partially for several weeks, which did greatly to our distress.

"I think we should have powers to purchase the Dudley Company's water, and supply ourselves with water from other sources."

Mr. Hen. G. Brown said,—

The town is at present most inefficiently supplied with water by the Dudley Waterworks Company; and to enable the local Board to obtain an equal supply of water it is deemed requisite to obtain compulsory powers to purchase the mains and pipes of the Dudley Waterworks Company, so as to enable the local Board to procure a supply of water from the Wolverhampton Waterworks Company or any other source."

The difficulties of treating for a full supply of water are thus stated by Mr. C. G. Brown:—

"By the Public Health Act extraordinary powers are given to the local Board for supplying this district with water; but as the Dudley Company, who now supply Bilston with water, cannot furnish the requisite quantity it will be necessary for the town to apply elsewhere. It will also be necessary for the town to lay down water-mains throughout Bilston, unless they can purchase the present mains of the Dudley Company, who might refuse to sell. In that case they would become competitors in the supply of water to the town, and render the Bilston establishment both expensive and unprofitable. To obviate such consequences, it is necessary that the local Board should have compulsory powers for purchasing the plant in Bilston of the Dudley Waterworks, and those powers are not afforded by the Public Health Act, and can only be obtained by further authority of Parliament."

GRAVEYARDS.—The whole of the present graveyards situated within the town, and some of them have been fearfully overcrowded for some time. The Return of the Rev. A. S. Fletcher shows this fully, and the Reports of Dr. Sutherland confirm the statement.

Mr. R. S. Cooper, surgeon, stated with respect to recent interments,—

"Most of the cholera victims at each visitation were interred in the churchyard of St. Mary's, which was the only churchyard open to receive them in such numbers. I am of opinion that the decomposition arising from so many interments must contaminate the atmosphere, and produce another source by which the health of the persons resident in that populous vicinity must be impaired. I would advise and think it most desirable new burial-grounds, situated at a short and convenient distance from the town, should be forthwith provided."

Mr. Hen. G. Brown, on behalf of the committee promoting a private Bill, stated, with respect to the present graveyards, the necessity that exists for a new cemetery, as follows:—

"The committee also found that, in consequence of the crowded state of the churchyards of Bilston, and the prevalence of the late distemper in the vicinity of those places, it would be necessary to construct a public cemetery."

LIGHTING.—There appears to be some difficulty in lighting such parts of the streets as are under the control of the trustees of the turnpike-roads. The evils arising are thus described by Mr. Baldwin:—

"The inhabitants have long been anxious to have these roads and streets (the turnpike-roads) lighted with gas, but the trustees appear determined to keep them in darkness, although the adjoining trusts at both ends of the Bilston trust are lighted to the points where the Bilston trust begins and ends, viz., from Birmingham to Wednesbury, a distance of eight miles. The Bilston trust is then all in darkness (except the glare of fires at the houses and pits at a distance from the road, which is worse than darkness), until it reaches the point where the Wolverhampton trust begins, from which point the road is again lighted to Wolverhampton, as at the other end to Birmingham; and the tolls on the Bilston trust are higher in proportion to the length of road than on either of the other trusts; besides, in or near the middle of the town there are two turnpike-gates, so that a tradesman cannot carry his goods to his neighbours a few yards along the streets without having to pay toll."

"This is a great evil, and ought to be remedied. The want of light

subt the cause of the frequent robberies that take place ; I believe hardly week passes without robberies being committed on some of the tradesmen the town by goods being taken from their shops and doors. . A woman as committed last week for stealing a dining-table from the door of a poker's shop ; so that, under such temptations, nothing is too large that not too heavy."

OUTLET FOR MAIN SEWERS.—It was stated by Mr. C. G. Brown—

that there is only one outlet for the sewage, which is under the Birmingham Canal, and across a valuable mineral estate." He stated, "that under the Public Health Act the local Board would not have the requisite power to carry out these works without the previous consent, in writing, of the parties affected ; and therefore it would be necessary to obtain compulsory powers by a private Bill."

Arguments and Evidence advanced against a Private Bill, and in favour of the application of the Public Health Act.

The following memorial, which has been presented to your Honourable Board, will best explain the wishes of those parties who advocate the application of the Public Health Act, and the reasons why they object to a private Act :—

MEMORIAL to the GENERAL BOARD of HEALTH to put the Public Health Act in force within the township of Bilston, in the county of Stafford, and to discountenance a local Act projected by a few individuals in the town : signed by the incumbent of Bilston and other clergy ; seven of the surgeons, being *all but one* of that profession ; six of the solicitors, being *all* of that profession (except the solicitor to the projected local Act) ; some of the largest ironmasters, a very large majority of the tradesmen, and a considerable number of small ratepayers, comprising in the whole about 800 ratepayers, representing rateable property to the annual value of 12,000*l.*, being one-fifth in number and more than one-fourth in value of all the ratepayers in the township.

"To the General Board of Health.

The Memorial of the undermentioned Ratepayers and Inhabitants of the township of Bilston, in the county of Stafford,

"SHEWETH that the sewerage and general sanitary condition of the town is at present very defective, and stands greatly in need of improvement.

That as there is no local governing body in the town, it has hitherto found impracticable to carry out proper measures of sanitary reform.

That as a very large number of the inhabitants are operatives, dependent on their support on their daily labour, it is highly desirable to effect sanitary improvements in as economical a manner as possible.

That your Memorialists therefore regard with much pleasure the steps taken by your Board in causing preliminary inquiries to be made with a view to the application of the Public Health Act, that Act being eminently calculated to carry into effect proper sanitary measures without burdening the town with the heavy expense of obtaining a local Act.

That after your Board had sent your Inspector to make preliminary inquiries, your Memorialists would have deemed it unnecessary (if not im-

pertinent) to memorialize you on the subject, fully confiding that you would put the Public Health Act in force within the town at as early a period as practicable.

"It has, however, come to the notice of your Memorialists that some individuals have originated, and are now actively prosecuting, a local Act for the regulation of the township.

"That your Memorialists have great objections to being regulated and governed by a local Act, as it will certainly be more expensive, and in probability far less efficient, than the public measure.

"That your Memorialists regard with much pleasure the allusion in the Queen's Speech to the proceedings that have already been taken by your Board in bringing into gradual operation the provisions of the Public Health Act, and the expression of Her Majesty's desire that further progress may be made in the same direction.

"That your Memorialists respectfully but earnestly request your Board to put in force within this township the provisions of the Public Health Act, and to use your influence with the Government to prevent the before-mentioned projected local Bill from passing into a law."

Further reasons against the private Bill will be found in the statements of Mr. *John Willim*, clerk to the trustees of the Bilston turnpike-roads, and in the resolutions signed on behalf of a public meeting by the Rev. *H. S. Fletcher*, chairman. These documents are given at length in the Appendix.

REPORT AND ABSTRACT.—*Evidence taken at the Inquiry.*
Mr. *Lordale* observed, with respect to the brook,—

"that he was the party most interested in the question, and he was perfectly willing to consent to any arrangement by which all the filth might be removed, upon two conditions: first, that there should be a competent and efficient engineer appointed to see that it (the work) was properly done, and secondly, that when the filth was brought upon his land, it should be effectually taken away. He was satisfied that proper sanitary works would be saved in the poor's-rates, as he felt convinced that a great deal of sickness which prevailed during the cholera arose from people drinking water from the brook. Now he would put it out of the power of the people to drink such water, by giving them facility to obtain pure water. He regarded his own property, the proposed change would affect him very seriously, but he was quite willing to allow any reasonable course to be taken in order to secure the removal of filth."

Mr. *P. Bissell* stated,—

"I think, Sir, you speak the opinions of all the parties who own property on the margin of the brook."

Mr. *Lordale*—

"If all the owners of property in the vicinity of the brook will sign an agreement upon the terms proposed, I will join them."

Mr. *Bissell*—

"I am willing to do the same."

Mr. *Lordale* stated,—

"They (the people of Bilston) must either obtain their object by a general Act of Parliament or by special powers, because the proposed works would affect large properties. What he (personally) required was, a responsible body, with whom he could enter into a valid and legal contract."

As to the fatal effects arising from the filthy condition of the brook, the Rev. *J. B. Owen* stated,—

that all which had been said as to the sad state of the brook was true in reference to the great mortality near it. They could prove 140 deaths which had occurred on its banks, or so near to it as to be justly attributable to its stid vapours."

Mr. *E. B. Dimmack* said,—

"He would state, in as brief a manner as possible, the several points submitted to the Board of Health by the deputation which waited upon them. The first was the condition of the brook, and the impossibility of removing the evils arising from it without special powers from Parliament. Already the owners of the property adjoining it had built over part of it, and the owners of the opposite side claim the right of doing the same. In addition to this, the local Board, constituted under the Health of Towns Bill, were prohibited by the Act from interfering with any stream, mill, or machinery, and this was a difficulty to be overcome only by new powers. There were obstacles also arising from the mineral property over which the sewers must pass, which could only be dealt with under special clauses, all interference with mines being strictly prohibited. A second point was the supply of water, which at present is intermittent and inadequate." Mr. Dimmack read the clause of the Health of Towns Act giving local Boards power to provide a supply of water, but preventing them laying down pipes where a company had already done so, and were willing to give an adequate supply. He then said, "the condition of Bilston was just that contemplated by the Legislature; and as the Dudley Company proffered an ability to supply the town, but did not, the local Board could not lay pipes without their consent. This difficulty could only be obviated by a special clause. The third point was the condition of the burial-grounds." Mr. Dimmack stated, that "the necessary arrangements for the new cemetery could only be made under Parliamentary authority. The fourth point was the roads. At present the turnpike-roads passing through Bilston were under the government of trustees, who received the tolls and repaired the roads, but had no power to widen or cleanse them. The Health of Towns Bill prohibited all interference with turnpike-roads, and special powers must be obtained to light, pave, and cleanse them (and also to remove the gates), and appropriate the tolls to these purposes. Upon all these points the promoters of the local Act were prepared with evidence in favour of their Bill."

The great cost of the turnpike-roads as compared with the highways, namely, 170*l.* to 30*l.* per mile, or nearly as 6 to 1, proves that much unnecessary expenditure must take place. But the fact that there are 10 turnpike-gates and 1 catch-bar on 11 miles of road is of itself a serious evil; the outlay for superintendence at these gates must add enormously to the cost of the roads, and no portion of the money so expended is of the least service to the inhabitants. It is literally levying sixpence to pay one penny's worth of labour. With respect to the means of bringing about a change Mr. *Perry* said—

that if they could attain the object by a public Act, they ought not to go to the expense of a private Act; but if they could not do so, it was the duty of the inhabitants to obtain a private Act. He considered, however, the expenses of a private Act to be of very great importance to the ratepayers of that town."

Mr. *Dimmack* said—

He thought the difficulties with which the local Board of Health would have

to deal were such, that the General Board of Health would not be able to overcome them. There was an ironwork on the brook with which the Board could not deal, because the Public Health Act distinctly said that it should not interfere with any watercourse, stream, mills, mines, or manufactory, or the proprietors or undertakers of any navigation. Now, no order of the Board of Health, under any Act of Parliament, would reach this case."

With the consent of the parties interested, all the requisite powers could be granted at once. It is only to meet and overcome opposition that a private Act can be required.

Mr. *Best* observed, with respect to the turnpike-roads—

"that if the gates were removed, poor tradesmen in the town, who did keep a horse or cart, would have to pay rates towards the repair of streets in the town, from which at present they were exempt. He should have no objection to give up the gates inside the town, if the expense of repairing these roads did not fall upon the poor inhabitants. He was decidedly averse to a local Act. In the first place, it would be a monstrous expense to the town; and in the next, they would be more efficiently governed under the Public Health Act than under a local Act." But should a local Board be established, he (Mr. Best), as representing the trust, said, in reply to Mr. Dimmack, that "he would not object to turn over to the local Board the whole control and power over the streets and turnpike roads in the town, and an equitable portion of the tolls received for the maintenance of them."

The Rev. *J. B. Owen* said—

"As a trustee, he felt a great deal of pleasure in saying that he should certainly support Mr. Best's proposition; for, looking at the filthy condition of the streets, they must be perfectly ashamed to meet a stranger in the town. There was not a person that could keep a pair of boots in a decent state for five minutes in passing along the streets. That was what they got from three turnpike-gates."

Mr. *M. Frost*, surveyor, in reply to a question, said—

"that the trustees, not residing in the town, objected to sweep the streets as the Act did not require them to do so; that their duty was only to repair and cleanse them."

The Rev. *J. B. Owen* :—

"Then, according to the evidence of our own surveyor, we being sweepers and not sweepers, there is no power in the Act to keep the town in a decent condition."

Mr. *Perry* said—

"he thought an incorrect view with respect to the wishes of the trustees, as the turnpike-roads had been taken, as they had no desire to continue in office for any other purpose than to discharge those engagements for which they were legally and morally responsible. The trustees had no other object to serve than the public interest. There certainly had not been any strict attention to the roads which was desirable, but great allowances had to be made for the peculiar circumstances of a mining district, where it had fallen in, in some places, to an alarming extent. These were matters which were not under the control of the trustees."

Mr. *Dimmack* said—

"he felt so convinced that these roads must be under the control of a local Board, in order that the town should be effectually sewered, lig-

d paved, that he should be ready to sign any consent for a local Act, or Act promoted by the General Board of Health, giving the necessary powers to local commissioners to take these roads under their control. There were gates within the district, which, in the opinion not only of the present, but of the town generally, were a great nuisance. They would not go from one part of the town to another without passing through a turnpike-gate and paying toll. Now, the powers of a local board would be incomplete if they had not the power to remove those gates from the district."

The Rev. B. Owen said—

He assumed that, if the expense of repairing the roads was taken out of the hands of the trustees, the reply of those gentlemen would be, that they would not reasonably continue to receive the tolls."

Mr. Perry assented.

Mr. Loxdale observed—

That the people of Wolverhampton had given them a very good example in removing turnpike-gates to the outside of the town."

Mr. Baldwin said—

He wished that the trustees of the Bilston roads would follow the example of their neighbours, not only at Wolverhampton, but at Birmingham also."

The evidence will show that no advance can be made towards the settlement of local differences, until some properly constituted authority is in existence, with whom the road trustees and others can negotiate—such as a local Board.

SUMMARY.—That the town of Bilston is not so healthy as it ought to be is abundantly proved by the general high rate of mortality, and by the terrible visitations of cholera.

That the existing toll-gates are most oppressive and expensive, without conferring any adequate advantage on the ratepayers, is also proved by the evidence; that their removal, and placing the roads and streets within the township under one management, would tend to true economy and better sanitary arrangements.

That a proper form of local government is required, the whole evidence proves.

That a consolidation of the governing and rating power would lead to equitable efficiency and economy, the following statement will show.

The question of works having been stated in my previous Report, it will not be necessary to repeat it here, further than to say that I do not see any engineering features of peculiar difficulty in Bilston which may not be cheaply and easily overcome. Mr. Marten has stated, with considerable fulness, the works contemplated under the powers of the private Act, should such be obtained, all of which may be equally well carried out under the general powers of the Public Health Act, and at a less cost than is set down in the estimate attached to that Report. The question is not the necessity or not that Bilston should obtain a separate

and private Bill, I cannot answer; but many towns with several local Acts in operation, such as Birmingham, Wolverhampton, Sunderland, Dover, Portsmouth, Gateshead, Newcastle-upon-Tyne, and others, are seeking the application of the Public Health Act, in addition to their present powers.

ADVANTAGES TO BE DERIVED FROM ONE LOCAL BOARD.—1st. No district would be rated but for the work absolutely required to be done within such district, or for its especial benefit or in common with some other district or districts necessarily combined for a common outfall. The rates would be as detailed in the following abstract from the Act:—

The rates leviable under the Public Health Act are, first, public rates, and, second, private rates.

The general district rate may be levied over the whole or part of a district (ss. 87, 89). Arable, meadow, pasture, and woodland, market-gardens and nursery-grounds, land covered with water, canals and towing-paths, and land used as a railway, to be assessed upon one-fourth only (s. 88). The general district rate will consist of the expenses of preliminary inquiry, salaries, &c., of local officers and servants, and certain casual expenses; and all such expenses of executing the Act as are not defrayed by means of any other rate, or out of the district fund account (ss. 87, 88). The district fund account will consist of the proceeds arising from the sale of sewage, &c., penalties recoverable by the local Board, and certain other miscellaneous sums received from them.

Special District Rates (s. 86).—Special district rates will be made for making, enlarging, altering, or covering sewers (s. 89). This rate will be levied upon either the whole or part of a district, according to circumstances. But those persons only will be liable whose property has been benefited by the expenses in respect of which the rate is made (s. 36).

Water Rate (s. 93).—This rate will be levied for water supplied for the purposes of domestic use, cleanliness, and house drainage (s. 93). Property to be assessed—the premises supplied (s. 93).

The rates for public and private improvements may be spread over any period not exceeding 30 years, but must be so distributed as to pay off the expenses in respect of which the rate is made, together with interest at 5l. per cent., within that period (s. 90).

This power to raise money for *public* and *private* improvements would be of great advantage to all parties, to tenants, lessees, and owners.

2nd. An educated and practical surveyor, with a superior establishment of workmen, would be employed with advantage and economy to all, or the new work would be let by contract and

efficient guarantee for its execution and maintenance for a stipulated time afterwards.

3rd. The best and cheapest outfalls for land and house drainage could be obtained.

4th. The streets and roads would be laid out in a proper manner; they would be formed according to acknowledged principles, and their repair and maintenance would afterwards be under practical superintendence.

5th. The refuse of the town would be made available, with benefit and pecuniary profit, for agricultural purposes.

Such are a few of the advantages which a combined action under one establishment would confer.

RECOMMENDATIONS.—I beg therefore to recommend—

1st. That the boundaries of the township be the boundaries for the purposes of the Act, except so far as it shall be found requisite to cross the said boundaries to obtain a full water-supply, or to complete the necessary works connected with the outfall drainage.

2nd. That the local Board of Health to be elected under the Public Health Act consist of nine persons, and that the entire number be elected for the whole of the district.

3rd. That one-third in number of the local Board go out of office on the 25th day of March in each year subsequently to that in which the election takes place.

4th. That every person at the time of his election as member of the local Board, and so long as he shall continue in office by virtue of such election (being resident, as in the Public Health Act, 1848, is required), be seised or possessed of real or personal estate, or both, to the value or amount of 500*l.*; or be rated to the relief of the poor of the township of Bilston upon an annual value not less than 25*l.*

5th. That the clerk to the Board of Guardians be the first returning officer.

6th. That any local Act which may be obtained shall be subordinate to the Public Health Act, and that any powers obtained under or under such local Act shall be exercised by the local Board.

The Public Health Act will be of the greatest advantage to the ratepayers generally; and, with the exception of section 50, I beg respectfully to recommend that it may be applied at the earliest period to the entire township of Bilston.

I have the honour to be,

My Lords and Gentlemen,

Your obedient Servant,

ROBERT RAWLINSON.

APPENDIX A.

REPORT ON THE POWERS SOUGHT IN THE PRIVATE BILL, by HENRY MARTEN, Esq., C.E.

“Bilston, 1849

“TOWARDS the end of September a committee of gentlemen, who, account of the late severe visitation of the cholera, were extremely desirous that something should as early as possible be done to improve the sanitary condition of the town, and prevent, as far as possible, the recurrence of a fatal epidemic, instructed me to take into consideration the steps necessary efficiently to carry out the recommendations of the Report on this district to the General Board of Health of June last, and to make those recommendations, in as far as they might relate to the engineering, the basis of all operations, that no time might be lost on the application of the Act. Having, however, subsequently been ascertained, on high legal authority, that the general provisions of the Health of Towns Act would be inadequate of themselves to the carrying out of those much-needed measures, inasmuch as they would require interference with private rights and interests only to be affected after due notice and by special Act of Parliament, I received a later period instructions to prepare and deposit the requisite plans, for an application to Parliament during the ensuing session for obtaining these necessary special provisions, so that there should be no defect of power to give the town the means of placing itself in a good sanitary condition.

“In the preparation of the above-mentioned plans, the rule laid down was that they should be arranged to carry out to the fullest extent the recommendations contained in the Report, excepting where, by the presentation of any new facts, any little alteration in the detail might be thought advisable.

“With this view, therefore, first, in regard to the water-supply, the plans are prepared for giving, as recommended, ‘a full and constant supply of pure water, to be laid on in every house and in every room tenement.’ The Board will be aware that, the town of Bilston being situated upon mining property, a great deal of which is in work, the inhabitants must almost entirely depend for their supply of this necessary element upon external resources; hence the great necessity of having an abundance, and of having it entirely under their own control.

“The external supply is at present afforded by the Dudley Water Company, who, however, have only about 800, or one-fifth, of the houses within the district as their customers. The supply is intermittent, and during summer, and when the cholera was raging in the town, was entirely inadequate for some days, and even now is so inadequate that recourse is obliged to be had to a supply of mine-water, to help out that from their own works. Being the case, therefore, it is intended to take compulsory powers to buy the whole of this Company’s plant within the town, and thus place the planning authorities in a position to make fair arrangements either with this Company or any other, or to erect works of their own. By this step they take the entire distribution of the water into their own hands, avoid all expensive and profitless competition and useless waste of capital in separate systems of pipes, and the plans are arranged and the estimate made for giving a constant supply of not less than 18 gallons per head per diem on the whole population. Secondly, in regard to the sewerage, these plans also have been prepared with a view to carrying out as simply and inexpensively as possible the recommendations contained in the Report, which are as follows, viz. :—

“1st. That a system of sewers should be laid down in the town, and of drains properly arranged, and taken into every house, back street, court, yard, and alley.

“2ndly. That drains should be laid down for the removal of all liquid refuse, and at such a depth as shall insure, by means of the same excavation, the perfect drainage of the foundations of all dwelling-houses.

“3rdly. That the refuse of the town may be applied to agricultural purposes, with many advantages both to the town and country: tile pipes will convey it direct to the land, upon which it may be distributed in irrigation and by means of hose, and thus the charges be decreased, and a fund created for the future improvement of the town. Likewise, that side-drains or sewers should be laid to intercept and carry off to proper depôts all the refuse of the town, where, by hose, or otherwise, it may be applied to agricultural purposes.’

“With the view, therefore, of carrying out these recommendations in the plans for obtaining the requisite special powers, accurate sections of all the streets were made, from which the whole town was carefully contoured, whence it appears that the only natural outlet for the sewerage is on the north-east side of the town, in the direction of the brook-course.

“In dealing with the sewerage of this town it will be well here to observe that provision must be made in getting rid of it to meet a practical difficulty which will exist in whatever course may be adopted, in the whole of the property of the neighbourhood being of a mineral character, and therefore subject to great depression of the surface on account of the underground operations necessary in getting the mine.

“It is proposed, therefore, to construct two main branch sewers, one for the east and one for the west district of the town, as shown upon the plan, and of sufficient depth below the ground to receive all side-drains, &c., low enough to drain the whole cellarage of the town. That these sewers, being sited at the top of Gozzard-street, should be continued in one sewer down that street to the end, whence, passing under the brook-course, it should be continued in a direction near to and parallel with its course, and eventually empty itself into the depositing tank at the point shown.

“In order to meet, however, the above-mentioned difficulty, presented by the working of the mines, it is proposed that the sewer should not be of the ordinary construction, but that it should be conveyed in a cast-iron pipe, constructed in such a manner as to resist any sudden crowning-in of the ground, but at the same time accommodate itself, without breaking, to any gradual depression of the surface.

“It is further proposed that as the sewage enters the depositing tank it shall be treated with the proper precipitants, and that, after all the valuable matter has been extracted from it, the waste water shall be allowed to overflow into the brook-course.

“It is proposed, also, that the tank shall be made in compartments, and means provided for removing the deposit from any one of these separately, when it can either be sent into the country along the banks of the canal by boat in a semifluid state, or, being dried and packed, be delivered to any part of the country for agricultural purposes.

“The neighbourhood of Bilston is of such a character that it would be impossible to find a sufficient area of farm-land for the profitable consumption of the whole of the sewage in its liquid state, but provision could still be obtained for continuing the irrigation of those portions of land now subject to that arrangement.

“Lastly, with reference to the Bilston brook, the recommendations of the report are as follows:—

“That the whole of the brook-course through the town should be cleared, and every obstruction to the free flow of the water should be removed; when practicable, the bends should be straightened, and one

uniform width should be preserved ; that the present and future sewerage of the town should be kept out of it, and powers should be taken to punish all persons wilfully vitiating its waters.' ”

Mr. Marten added,—“ A slight deviation from the exact detail of the recommendation has been thought advisable ; its spirit, however, has been carefully preserved throughout. For on having an accurate survey made to a large scale of that portion of the brook more immediately affected by the above recommendations, and which is shown on sheet No. 2*a* of the plans prepared for Parliamentary purposes, it was found that its course is extremely circuitous ; that in some parts houses are built over it, in other into it ; and that the property on either side is so densely crowded with dwellings that it will be impossible to strengthen its present course where most needed through those parts but at the cost of very considerable opposition and expensive compensation.

“ It seems, moreover, that half the brook-course is claimed by and belongs to the adjoining proprietors on either side, and that, however willing they might be to acquire the use of this land by the cutting off of bends, &c. those parties on whose property the new channel might encroach would not allow of such without ample compensation.

“ Further, the property in the neighbourhood of the brook-course is of that description that, however ample the provisions for its drainage might be made, the facilities to that class of population offered by an open course as a depôt for the filth and offal would involve the almost continual infringement of any rules to the contrary, and that in a short time the new course would be found in almost a similar state to the present running cesspool.

“ On these grounds therefore, which are matters of expediency rather than of engineering, and as in neither case could the general Act give power to deal with this natural stream, it was thought advisable and is proposed to divert, lower, and cover the stream from point A along Brook-street to point B, as shown on the plan, and thus at once straighten and shorten the course ; by lowering to cause it to act as a drain to the surrounding property rather than a source of damp as at present, and by covering it over to prevent instead of prohibit the vitiation of its waters.

“ By this arrangement, also, the valuable area at present occupied by the brook-course will be at the disposal of the several owners, who also will have in its place proper sewers provided for carrying off their refuse, and a wholesome and constant supply of pure water in the place of its former stream.

“ It is proposed to give the new course a gradient of 1 in 500, which will be an ample fall to keep it clean and free from any deposit which might be brought down from the course above ; and beyond the point of deviation is proposed to lower the present course as far as necessary, and to properly cleanse and embank it to the boundary of the township.

“ In conclusion, I would observe that the time has not yet arrived for considering these matters in detail, but the above will describe generally the features of the plans proposed to be adopted for carrying out the recommendation of the Board of Health, and that the whole of the works are of a simple and straightforward character that scarcely any further comment can be made, excepting perhaps with regard to an inconvenience that may arise from the sewer across the mineral property ; there are, however, ample means under the command of the engineer, at a comparatively light expense of rendering this a matter of very little practical importance.”

The following are the statements brought forward by the parties promoting the private Bill. With respect to the Bilston turnpik roads Mr. *G. Gettings* stated,—

“ Bilston is a very small parish : only about 1600 acres, including the site of the buildings, canals, roads, &c.

"There are in the township about 7 miles of turnpike-roads and 6 or 7 miles of highway-roads. In the Bilston turnpike trust there are 11 miles of road, but 3 or 4 miles of that road are in other parishes. On that 11 miles of road we have 10 turnpike-gates and bars, besides a catch-bar near to Wednesbury and Darlas'ou.

"To repair the 11 miles of road the trustees or their clerk received last year 2398*l.*; to repair the 6 or 7 miles of highways the surveyors last year expended about 230*l.*, including all charges

"The material for repairing roads is in Bilston abundant, and free of cost, except the cartage and breaking.

"Mr. Richard Thompson, one of the commissioners, and a great stickler for things as they have been for the last forty years, said, in answer to my question in public meeting, that Mr. Willim, the solicitor, was the clerk; that Young Dodd was the treasurer; and that Mr. Willim or his clerk signed the requisites.

"I pay a serious sum of money annually for tolls; and I complain of the very extravagant expenditure that there must be in the repair of the turnpike roads, or of the gross mismanagement of the public funds. Besides, we have no less than three gates in the town, and in several directions we cannot pass from one part of the town to the other without paying *l.* for tolls.

"The 2398*l.* is not all the public has to pay; there is in addition to this the pay of 10 collectors—what they *chisel*—this is their own term—the *hush-money*—and the different contractors' profits. At any letting of tolls there are a set of reckless vagabonds, who obtain their living by wandering from auction to auction, not intending to take the tolls, but, if the party intending to take them does not give a sufficient bribe, they bid against him; to prevent this a heavy sum is handed over to them as *hush-money*. This cannot under the present wretched system of toll-gates be all avoided; and the fewer the number of gates the less the public have to suffer.

"The repair and management of the highways is in the town; the surveyors are responsible to the town, and the whole cost per mile is about 32*l.* The repair and management of the turnpike-roads is in the commissioners and their servants; few of the commissioners act only on particular occasions; the town has no control; and the roads cost about 170*l.* per mile. The highways are in as good condition as the turnpike-roads.

"If all the inner gates were removed, and only the four outside gates were left, the proceeds from these would be quite sufficient to repair the whole of the roads in the township, both highway and turnpike, and every expense connected with them.

"But the tolls and management must be in the hands of the town."

Mr. C. G. Brown made the following statement as to the deficiencies of the Public Health Act to meet the urgent and peculiar case of Bilston:—

"There is no power provided in the Public Health Act for the local board to cleanse the brook or straighten the bends, as recommended in the report to the General Board of Health. On the contrary, by the 145th section, the local Board is expressly prohibited from interfering with such a stream without the previous consent in writing of the owners of property interested therein.

"The brook cannot be treated as a public sewer under section 45, so as to authorize the local Board to arch over or improve it, because, contemporaneously with the power given by that section to the local Board to arch or improve a public sewer, there is contained a like power to close up or destroy

If, therefore, it be said that the brook is a public sewer, and may be arches over or improved under section 45, the local Board might also close up or destroy it. Neither can it be said that the brook is a place containing

or used for the collection of drainage, so as to empower the local Board to drain, cleanse, or cover it over, under the authority of section 58. The words of section 58 are, that the local Board shall drain, cleanse, cover, or fill up any pool, pond, &c.

"If, therefore, section 58 empowers the local Board to drain, cleanse, or cover over the brook, they would be equally authorized to fill it up. To treat the brook as a sewer within the meaning of section 45, or as a place containing or used for the collection of drainage within the meaning of section 58, would be to disregard entirely the enactment contained in section 145. The Bilston Brook is not only in itself a great nuisance to the town but is further made so by its polluted waters feeding various ironworks and mills, and irrigating some fields north-east of the town. The banks of the brook are densely crowded with houses, in nearly all of which the cholera raged most fearfully, and in one of which it first made its appearance.

"The water which feeds the engines and boilers connected with an important ironwork in the neighbourhood of the town is taken in its worst condition from the brook, whence it eventually passes into an open reservoir from which, in consequence, there continually arises a most offensive vapour.

"An effort was made in the summer of the present year to abate the nuisance arising from this cause by the summary means pointed out by the Nuisance Removal Act, but without success, the justices thinking that the powers of that Act did not authorize them to adjudicate in a case of such magnitude. Neither would it be just to the gentleman owning the reservoir to prosecute him. If the stream were unpolluted, this nuisance would cease to exist. That gentleman is the aggrieved rather than the injuring party. The brook-course has been sold to the owners of the adjoining properties, and some of them have built into it, whilst others have built over it, thus materially obstructing the free passage of its water. There is no power in the Public Health Act enabling the local Board to purchase the rights of these people, so as to enable it to cleanse the stream to remove the obstructions, or to straighten the bends; and if the local Board had power to purchase, there is no fund provided by the Act in which the money could be raised.

"In carrying out an efficient sewerage, it will be requisite to pass a main sewer under the Birmingham Canal. The local Board would not have that power under the Public Health Act without the consent of the proprietors. The 145th section, before referred to, qualifies the general authority given to the local Board, by section 45, to carry their sewers in through, or under any lands whatever, by enacting that the local Board shall not be authorized to interfere with any river or towing-path in which the proprietors of any canal shall be interested without their previous consent in writing. Neither could the local Board, under the powers of the Public Health Act, carry the sewage refuse out of the town: there is only one natural outlet adapted for such purpose, and that is the site of a very valuable mineral estate. The 145th section of the Public Health Act protects the rights of persons having mineral property from being prejudiced or affected by anything therein contained, and therefore the sewer could not be carried along this outlet without the consent of the mineral proprietor.

"The public streets in Bilston are generally in a very filthy and unwholesome condition, never being swept, only occasionally scraped, and seldom watered. The channels also are indifferent and insufficient, and the principal footways are in a great degree left unpaved. The principal public streets in the town are under the jurisdiction of the trustees of the Bilston turnpike trust, having a great number of turnpike-gates in the town pressing hard upon the tradespeople, who are compelled to pay toll in carrying their goods by vehicle from one portion of the town to the other. There is no reason whatever for preserving these gates in the town;

rust is not poor, and it might dispense with them. There is no power in the Public Health Act by which the local Board would be empowered to cleanse and water the public streets of Bilston, or to regulate the footpaths and channels. And so long as the turnpike-gates are continued, it would be a great hardship upon the tradespeople to make them pay for the repairs, improvement, or draining of the streets, footpaths, and channels. And on these grounds, therefore, the working of the General Act would allow of no sufficient sanitary control over the most important streets in Bilston.

“By the Public Health Act extraordinary powers are given to the local Board for supplying this district with water; but as the Dudley Company, who now supply Bilston with water, cannot furnish the requisite quantity, it will be necessary for the town to apply elsewhere. It will also be necessary for the town to lay down water-mains throughout Bilston, unless they can purchase the present mains of the Dudley Company, who might refuse to sell. In that case they would become competitors in the supply of water to the town, and render the Bilston establishment both expensive and profitless. To obviate such consequences, it is necessary that the local Board should have compulsory powers for purchasing the plant in Bilston of the Dudley Waterworks, and those powers are not afforded by the Public Health Act, and can only be obtained by further authority of Parliament.

“The poverty of the town of Bilston is such, that the inhabitants who would be rated for the sewerage under the Public Health Act would seriously feel the pecuniary burthen imposed upon them if they should have themselves to pay the whole cost of the sewerage; that Act, by fixing the cost of sewerage upon the property to be benefited, relieving all the principal ratepayers in the town, who, though receiving no direct benefit from the works, will do so indirectly by the improved health of the workpeople and the diminution of the poor-rate.

“On the above grounds it has been proposed and agreed to by the principal ratepayers living beyond the district affected, that these large ratepayers should be rated in one-fourth share of the sewage expenses, which can only be accomplished by the further intervention of Parliament.”

Mr. William Baldwin says—

“I have looked at Bilston with a view to sanitary improvement, and my opinion is that if we are to succeed in that object we must begin with the ‘Brook,’ the receptacle of all the filth of the town. In its neighbourhood cholera and other epidemic diseases always begin their ravages, and, when once they get into a place like Bilston, they do not leave it until large numbers of the populations are swept off.

“It is a pure stream until it enters the town, where houses, privies, and other buildings are closely erected on both sides, over it, and into it, for the owners of property adjoining claim to the middle of the brook, which here becomes a stagnant pool of mud and filth; and, as the case stands, the only remedy that I can suggest is to divert the stream, and convey it underneath an adjoining street, and fill up the present course.

“To effect this, although I shall not be individually benefited by it, yet, from the amount of mischief it creates, I am quite willing, as one of the largest ratepayers, to contribute my whole portion of rate to this purpose, and I believe most of the other iron and coal masters, who are the large ratepayers, have consented to do the same; and when this is effected, and a proper outlet for the sewerage is secured, the course will be clear for an effectual system of drainage and other sanitary improvements.

“We can only obtain a proper outlet for our sewerage on the property of one gentleman, and he has expressed himself so decidedly that we cannot do what is necessary under the Public Health Act, that he has declared he will not allow his land to be used for the purpose unless we get proper and sufficient powers, by local Act or otherwise, to do the work effectively and completely.

'Another evil we labour under is a scanty supply of water; what we have is supplied by the Dudley Waterworks Company, but during the time the cholera was ravaging the town in August and September last the supply was entirely withdrawn for many days, and partially for several weeks, which added greatly to our distress.

"I think we should have powers to purchase the Dudley Company's mains, and supply ourselves with water from other sources.

"Another difficulty we have to meet is in the present management of the turnpike-roads.

"The greater part of the streets of Bilston consist of turnpike-road, and these roads are under the management of trustees, who are self-elected. I think it will be impossible to get on well with sanitary improvement unless these roads are placed entirely under the control of the Commissioners for sanitary purposes. The inhabitants have long been anxious to have these roads and streets lighted with gas, but the trustees are determined to keep them in darkness, although the adjoining trusts at both ends of the Bilston trust are lighted to the points where the Bilston trust begins and ends, viz. from Birmingham to Wednesbury, a distance of eight miles; the Bilston trust is then all in darkness (except the glare of fire at the works and pits at a distance from the road, which is worse than darkness), until it reaches the point where the Wolverhampton trust begins, from which point the road is again lighted to Wolverhampton, at the other end to Birmingham; and the tolls on the Bilston trust are higher in proportion to the length of road than on either of the other trusts; besides, in or near the middle of the town there are two turnpike-gates, so that a tradesman cannot send his goods to his neighbours a few yards along the streets without having to pay toll.

"This is a great evil and ought to be remedied. The want of light is doubt the cause of the frequent robberies that take place; I believe hardly a week passes without robberies being committed on some of the tradesmen of the town by goods being taken from their shops and doors. A woman was committed last week for stealing a dining-table from the door of a broker's shop; so that, under such temptations, nothing is too large that is not too heavy.

"Another point I wish to notice is the rating: according to your former Report there are 4230 ratepayers, out of which 3634 do not exceed 7*l.* 1*s.* per annum, leaving only 596 above that rental. Now, a great portion of these 596 would under the Public Health Act be exempt from contributing to the sewerage-rate at Bilston, as they are principally works of the sewerage district; and as the large number of 3634 would evidently be the poorer classes of workmen and small tradesmen, they would be unable to bear the burden. Now, under the local Act, it is proposed to call upon all these large ratepayers to contribute one-fourth the amount of their rates for sewerage purposes, although they may not be directly benefited nor be in the sewerage district. These are some of the reasons why I think the Public Health Act will not meet our case, and that the local Act will be found necessary."

With regard to the turnpike-roads Mr. *Barlow* made the following statement:—

"In my opinion it is necessary that the control of the turnpike-roads within the town should be vested in the parties to whom may be intrusted the draining, lighting, and paving of the town, and who will be responsible for its sanitary condition.

"Three-fourths of the streets are turnpike-roads. The mere statement of this fact establishes my position;—as to appoint a number of persons to pave, light, clean, and drain the town, and to exempt from their authority three-fourths of the streets, would simply be an absurdity. It is equally plain that the same parties must have the sole control. The existence

to public bodies with different views—perhaps different interests—having the control and management of the same streets, would lead to disputes and litigation, in the midst of which sanitary reform would be forgotten or neglected.

“It follows, that either the trustees of the roads must obtain powers to raise, &c., the whole town, and to make rates; or that the persons to whom the other parts of the town are to be intrusted must have the management of the turnpike-roads also. No one, it is presumed, will be so foolish as to advocate the expediency of conferring such additional powers upon a self-elected irresponsible body, such as the trustees of the roads constitute. There remains but the alternative of giving the sole management and control of the whole town (including the turnpike-roads) to the persons appointed to effect the general improvement of the town. Under no other arrangement can the necessary works for such improvement be efficiently and economically done.

“One collateral advantage may be mentioned that will attend the transfer of the powers of the trustees to the town commissioners—and that is the removal of the three toll-gates that are in the streets, and which are without question a great impediment to the traffic. Some parties suppose that they are of benefit to the town by making travellers from a distance pay towards the repair of the roads; but this is a mistake, as the whole of the money collected at the gates within the town is paid by the inhabitants, so nearly the whole that the remainder would make no appreciable difference in the statement. Therefore, supposing the same amount to be collected by rate as is now taken in tolls, the tax upon the town will be the same. But since that amount can be collected much more economically by rate than by tolls, the town will benefit to the extent of the saving, and be freed of the annoyance of the gates.”

Statements in favour of the Public Health Act, and in opposition to a Private Bill.

TURNPIKE ROADS AND MARKET.—The following reasons are given by the Clerk to the Trustees why, in his opinion, a Private Act is not necessary for Bilston:—

“1st. As to the turnpike-roads.

“The Town has no streets (worthy of the name) except those which the turnpike-roads traverse, and under a clause in their Act the trustees of the roads are under the liability to repair those streets so long as the present toll-gates at either end of the town are continued, but no longer. This obligation on the trustees is a considerable benefit to the town, for (surrounded as it is by coal and iron mines) the carts and waggons, heavily laden with minerals, constantly passing and repassing, occasion a very great, if not the principal, wear and tear, which the tolls paid by them partially contribute to repair; whilst on the removal of the gates (which the promoters of the private Act state their anxiety to effect) no tolls would be paid by the opulent mineowners whose teams cause so considerable an injury, and the repairs of the streets will fall on the ratepayers at large, a vast majority of whom are dependent on their own daily labour, and derive no benefit from the use of the roads.

“The roads are, moreover, encumbered with a considerable mortgage debt, and the mortgagees may, and probably will, object to any interference with their securities.

“The trustees have always been ready to afford every facility to the gas and waterworks companies for laying down and repairing their pipes, and

will doubtless be equally willing to give the same facilities to a local Board of Health for sewerage or other purposes.

"The qualification of the trustees ensures their respectability and efficiency, and they would readily co-operate in any scheme that could be devised to benefit the town without prejudicing the interests of the mortgagees.

"As to the market.

"In the Act establishing the market a number of resident inhabitants are constituted trustees, and their qualification is 1000*l.* worth of property or 40*l.* per annum from real estate.

"There has never been, to my knowledge, any complaint of the manner in which the trusts are administered.

"There are subsisting mortgages on the tolls to the extent of 7000*l.*, and the mortgagees might reasonably object to the transfer from the present trustees (on whose personal character great reliance was placed in advancing their mortgage money) to others whose qualifications would be much lower.

"The funds are not in the most flourishing condition (and I have in consequence been for some time acting as clerk without salary), so that the town will derive no pecuniary advantage from the change.

"Nor can I imagine why power over the turnpike-roads and market should be a necessary, or even a desirable measure, in a Bill for promoting sanitary improvement.

"JOHN WILLIM, Clerk to the Trustees of the
Bilston Turnpike Roads and to the
Trustees of the Bilston Market."

The following letter was forwarded to Gwydyr House since the inquiry:—

"GENTLEMEN,

"Bilston, December 26, 1849.

"As Clerk to the Trustees of the Bilston Turnpike Roads I beg to offer a few remarks in reference to the recent visit of your Inspector, Mr. Rawlinson, to this town.

"And first I should premise that, from the advertisement which he appeared in the local papers specifying the matters into which that gentleman would inquire, I did not imagine that he would go into evidence on the subject of the turnpike-roads; and although I attended the meeting in hand in a dissent on the part of the trustees of Bilston Market to the proposed private Act, I had left the room when those charges were made of which I have since heard, and which reflect not only on the management of those trustees as a body, but also impugn my character as the clerk.

"I allude in particular to the statement of an individual named Getting who, in speaking of the large sums collected in tolls, is reported to have said that Mr. Willim was the clerk to the trustees, and that his clerk signed the checks, and that to repair the 11 miles of roads the trustees' clerk received last year 2398*l.* It is quite true that a gentleman who is articulated to me and acts as my managing clerk frequently signs the checks but no bills are paid until they are audited by a *finance committee*, we meet for that purpose once a month.

"Your Board is probably also well aware that the annual balance-sheet of income and expenditure is regularly transmitted to the Secretary of State, in addition to which our balance-sheet is annually printed for distribution. To show, however, how the above-mentioned sum of 2398*l.* is accounted for, I submit the following epitome of expenditure during the year:—

| | £. | s. | d. |
|---|-------|----|----|
| " Manual labour | 629 | 12 | 9 |
| Team-work | 343 | 15 | 7 |
| Materials | 159 | 4 | 11 |
| Tradesmen's bills for repairs, gas-lamps, &c. | 53 | 14 | 4 |
| | 1186 | 7 | 7 |
| Purchase of land, &c., for improvements . | 220 | 16 | 3 |
| | £1407 | 3 | 10 |

the residue being expended in payment of instalments of the principal and interest on the said debt, salaries of officers, and other incidental expenses; whence it will be seen that the actual expense of repair is considerably less than the individual making that statement would infer.

A considerable extent of the roads under the control of the trustees of whom I am the clerk, and which it is now sought to transfer to the local Board of Health, is a portion of the trunk-line from London to Holyhead, towards the improvement of which about 10,000*l.* was borrowed from the Chequer Loan Commissioners; and for the manner in which it has been expended I beg to refer you to the Reports of the Parliamentary Commissioners.

Our trustees have also for many years past been expending large sums on the improvement of the roads within their district, as must be notorious to every one acquainted with Bilston: crooked roads have been made straight, and rough ways smooth; hills have been levelled and declivities eased. Nor can a parallel be well drawn between this particular trust and any other in the kingdom, for, situated in the very heart of the mining districts, they are constantly liable to sink (or in the provincial language to bog) in consequence of being undermined; while the heavy loads of coal and ironstone constantly passing and repassing from the collieries and works, grind and crush the surface to an extent elsewhere unparalleled.

It is true that there are two toll-gates within the town, but this is rather a benefit to the inhabitants at large, inasmuch as under a clause in our Act the trustees are liable to repair the streets which they traverse, so long as those gates exist, and no longer. It is also a more equitable arrangement, for, whilst there pairs are defrayed out of the tolls, the proprietors of coal and iron works, and other parties, who principally make use of the roads, cause the greatest wear and tear, contribute a quota towards their fair by payment of toll, while if those gates are removed the repairs must be defrayed by rates on the property at large in the township, at least three-fourths of the inhabitants of which are operatives, and derive no benefit from the use of the roads. In fact the whole secret of the outcry against the roads and toll-gates is to be found in a remark of Mr. Gettings that he had a serious sum of money annually for tolls. Mr. Gettings, I may remark, is an ironfounder; and had the other parties who gave evidence in favour of the abolition of the tolls been equally unguarded, the reasons for their remarks would probably have been the same, as they were either ironmasters or parties who use the roads to a considerable extent.

The trustees, so far from being 'self-elected,' are, many of them, appointed *nominatim* by the Act, while the property qualification fixed by the Act ensures the respectability and efficiency of the new trustees.

They have, and can have, no motive in retaining in their own hands the management of the roads other than the benefit of the public and the payment of the mortgagees; and as most of the trustees keep horses and carriages, the abolition of those toll-gates would be advantageous to them personally; so that there is an amply sufficient guarantee that they will be moved so soon as the finances of the trust justify such a step.

"Independently too of the absolute power which a local Board would possess (under the 45th section of the Public Health Act) to carry sewers through, across, or under any turnpike-road, 'there is every disposition on the part of the trustees to give all reasonable facilities and assistance to promote sanitary improvement,' as the resolution I transmitted to you on the 18th instant will show.

"Again, the extent of roads which passes through the streets of the town is less than a mile, and it cannot be necessary, in order to give power to the local Board to sweep, cleanse, and pave the streets, to transfer to that body the whole extent of road which lies within the township, viz. the parochial boundaries, which extend to some miles.

"I think also that considerable practical difficulty will arise in apportioning the mortgage debt on the tolls between the parts of the roads which lie within and those which lie without the township, and this impediment exists not only with respect to the trust which I represent, but also to two other trusts which have roads within the township, viz. the Birmingham District Trust and the Sedgley District Trust.

"These statements may, I hope, tend to show you more clearly the true state of the case, and to explain the *ex parte* statements given before Mr Rawlinson, which, for the reasons before mentioned, I had no opportunity of controverting. Will you have the goodness to lay these remarks before Mr Rawlinson?

"I have, &c.

"JOHN WILLIM, Clerk to the Trustees of the Bilston Turnpike Road.

"The Right Hon. the Board of Health,
&c. &c."

"GENTLEMEN,

"Bilston, December 18, 1849.

"I beg to report to you that at a general meeting of the trustees of the turnpike-roads of the Bilston Trust, held at Bilston this day, the 18th, I had the honour to address to your Board on the 19th of November last a resolution 'was read, approved, and ordered to be adopted and entered on the minutes.'

"At the same meeting the notices (which had been served on me as clerk to the trustees) of an intention to apply to Parliament in the ensuing Session for a local Act for the township (whereby it was proposed to take the whole of the turnpike-roads within the township, with the bridges, culverts, and appurtenances, and the tolls levied thereon, and also the toll-houses, bars, and weighing-machines) were brought before the trustees, together with the letters accompanying the notices, which was requested might be returned to Mr. C. G. Brown (the solicitor to the promoters of the private Act), indicating the assent, dissent, or neutrality of the trustees in respect of such Bill.

"On taking the subject into consideration it appeared to the meeting that no possible advantage could accrue to the township from the change contemplated by the proposed local Act. It was therefore moved by Mr. Law, seconded by Mr. Thompson, and resolved—'That the clerk return to Mr. Brown the letters above referred to, filled in with the dissent of the trustees to the proposed local Bill.'

"A resolution was also passed, expressing the willingness and anxiety of the trustees of the roads to give every facility to the use of the roads for sanitary purposes in any manner not inconsistent with the interest of the trusts; the only condition being, that such parts of the roads as are in any way broken up be made good to the satisfaction of the surveyor of the roads.

"I have, &c.

"JOHN WILLIM

"The General Board of Health,
&c. &c."

P.S. When Mr. Rawlinson visits Bilston, the surveyor of the roads, as
as myself, will be happy to furnish any information he may desire, and
ould make a point of being in the way, and of intimating the same to
surveyor, on receiving a short previous notice."

Extract from the Minutes made at a Special Meeting of the Trustees of
ton Market, on Saturday the 22nd of December, 1849, pursuant to a
osition from two of the trustees to the clerk, requesting him to call
meeting 'to consider the notices which have been published in the
papers of an intended application to Parliament in the ensuing Session
a local Act for Bilston, whereby power is proposed to be taken to
sfer the management of the market from the present trustees to a Board
appointed under the said Act.'

'The trustees having taken into consideration the notices referred to,
believing that the contemplated change would be attended with no
ficial result either to the public, to the tenants of the market, or
gagees, and that the sanitary wants of the township can be better
lied under the provisions of the Public Health Act:

Resolved—That the trustees disapprove of the intended application to
liament, and will, if proceeded with, oppose the same so far as relates
e intended interference with Bilston Market. At the same time the
ees are willing to give consent to the local Board to be appointed under
Public Health Act to make use of the property vested in the trustees
y way that will conduce to the benefit of the town, provided that in
ing the local Board do not interfere with the powers of the trustees to
njury of their property.

Ordered—That our clerk transmit a copy of the above resolution to the
ral Board of Health, and also to their inspector Mr. Rawlinson.' "

"Parsonage, Bilston, January 3, 1850.

"I have been requested by a meeting of some of my parishioners,
abled this day to consider the propriety of addressing the General Board
ealth upon the course which has been adopted by the promoters of a
te Bill for Bilston, to ask the favour of your laying the enclosed state-
before the General Board. I send, also, a newspaper containing a
account of the proceedings of a town's meeting, together with the
ay account' of the Bilston Gaslight and Coke Company, as vouchers
he correctness of some statements made to the General Board of
th in the enclosed letter. At the town's meeting above referred to, a
ation was appointed to wait upon the General Board of Health, in
to lay before them the result of their committee's proceedings.

This we regretted to learn, especially as Mr. Rawlinson has so recently
a visit to Bilston, upon whose Report to the General Board we are
willing to let matters depend.

But since, notwithstanding that gentleman's further inquiry into our
the advocates of the private Bill have thought proper to request a
d interview with the General Board, those who are in favour of a
e Health Act considered it their duty to acquaint the General Board
alth with the steps which have been taken since they received the late
ation from this place.

"I remain, &c.

"H. S. FLETCHER.

Austin, Esq.,
Secretary, &c."

a Meeting held (by permission) at the Savings-Bank, Bilston, on
Thursday, the 3rd day of January, 1850, to consider what steps it may
be advisable to take to prevent the town being regulated by the private
14.]

Act which some parties in the town have been preparing (either as private or public measure),—

“ The Rev. H. S. Fletcher in the chair,—

“ Moved by Thomas Perry, Esq. ; seconded by Richard Thompson, Esq and carried unanimously,—

“ That the chairman be requested to transmit to the General Board Health the following statement's as to the manner in which that Act h been prepared and prosecuted :—

“ That at a public meeting (convened by handbill from the chairman the late Cholera Committee) held on the 22nd day of October last, 1 Rev. H. S. Fletcher, who occupied the chair, requested suggestions from any parties present on the subject of sanitary improvement. That some parties who had prepared a local Act for the sanitary and civil government of the township, stated to the meeting the object of such Act, and recommended its adoption, at the same time stating that they were prepared, in case the meeting should disapprove of that scheme, to carry it on at their own expense. That objections were made to such local Act by parties who thought that the township would be better governed and at a less expense by being comprised within a general Act. That ultimately a Committee of 16 persons was appointed to consider the subject, a large majority of whom had already met at the office of the solicitor (Mr. C. G. Brown) who drew the local Act ; Mr. Brown himself being also a member.

“ That at the next public meeting (called by printed circular from the Rev. H. S. Fletcher, the chairman) the Committee reported that your Board had stated their readiness to provide for the wants of the town, and therefore recommended that the private Act be relinquished, and that the Committee be appointed to communicate with your Board on the subject. That that meeting was adjourned for a week, because it appeared that the Secretary of State had not been written to on the subject, and it was marked that your Board did not represent the Government.

“ That at the next public meeting a letter was read from the Secretary of State simply acknowledging the receipt of our letter. That the meeting was attended by a low, noisy set of men, who appeared determined to prevent any one opposed to the local Act from obtaining a hearing ; that a gentleman holding opposite views attempted to speak, but was hooted down ; that a resolution was carried requesting the Committee to continue their inquiries into the civil and sanitary requirements of the town, to prepare an Act embodying the points necessary for its regulation, a draft of which should be submitted to some future town's meeting, and an adoption by such meeting should be brought before the parliamentary promoters of any public Act, and that in the mean time the notices essential for an early application of the sanitary Act to the town should be sent on to the parties concerned. That six working men were at the same time added to the Committee.

“ That thereupon the gentleman who had acted as chairman of the public and committee meetings, and many other members of the Committee who were opposed to the private Act, resigned. That soon after advertisements appeared in the public papers giving notice of an intended application to Parliament for an Act, to be called ‘ The Bilston Improvement Market, Waterworks, and Cemetery Act,’ signed by Mr. C. G. Brown, solicitor to the Act.

“ That a printed handbill was afterwards issued from Mr. Baldwin, chairman of the Committee, stating that a deputation from that Committee had had an interview with your Board, and that the result was that your Board would shortly again send down Mr. Rawlinson to make further inquiries as to the wants of the town.

“ That on the 24th of December last other handbills were issued, sig

y Mr. Baldwin, stating that Mr. Rawlinson was that morning sitting for the purpose last mentioned.

“That on the same day other notices were issued, also signed by Mr. Baldwin, calling a meeting for the day after next, ‘to receive and settle the draft of the proposed Act of Parliament for the improvement of the town.’

“That at that meeting Mr. Baldwin was placed in the chair. That in answer to inquiries from persons present it was stated that the local Act could not be read, as the Committee had already considered it. That a member of the Committee remarked that the Committee themselves were not agreed on many of the clauses, and requested that it might be read; but he also met with a refusal.

“That a deputation was then appointed to wait on your Board with the local Act, and ascertain if you would adopt its clauses.

“That this meeting finds that the parliamentary and law expenses of obtaining an Act for establishing gas-works in the town a short time since, and solicited by the same solicitor as the proposed local Bill, amounted to no less a sum than 2587*l.*, and they therefore regard with apprehension the expense of a local Act. The Gas Bill, it is true, was opposed, but the local Act is likely to meet with far more opposition.

“That they also consider that, irrespective of parliamentary expense, a public measure prepared with the assistance of eminent talent and extensive experience must be necessarily preferable to any local legislative scheme, however well matured, and that there are many other cogent reasons for preferring the former to the latter.

“That this meeting, moreover, strenuously objects to the town being governed and regulated by an Act with the provisions of which the public are unacquainted, and which has been prosecuted in opposition to the wishes of the majority of the respectable inhabitants.

“This meeting therefore trusts that your Board will neither countenance the further progress of the local Act nor adopt its clauses.

“And (with a view to proceeding with all possible despatch in carrying into effect sanitary reform) this meeting would also suggest that, so soon as Mr. Rawlinson has made his Report, your Board will issue an order enabling the local Board of Health to proceed with measures of general importance and immediate urgency (such as cleansing the brook and carrying off the sewerage in another channel), leaving all minor arrangements and matters of detail to be suggested by the local Board, when constituted, whereby, in the opinion of this meeting, any suggestions will be more likely to be of practical utility.

“Signed on behalf of the meeting,

“H. S. FLETCHER, Chairman.”

